

REMARKS

The Examiner's action of May 30, 2003 is noted and the interview with the Examiner is appreciated. The original claims have been canceled, with Claims 26-44 substituted therefor. The claims have been amended to more particularly point out what Applicants believe to be their invention and are in accordance with language suggested by the Examiner. The content of the Examiner's interview is appended hereto as the Examiner's Interview Summary to which Applicants concur, noting Applicants' written additions.

At the interview, the Examiner agreed that with the provision of a method directed to "behavioral modification" the Fargano reference had been distinguished.

The Examiner has asked for Applicants to indicate support for the term "guided practice". Support for the term "guided practice" in the Specification is as follows:

Cover Page, Title of the Invention, lines 8-9

page 2, line 3
page 2, line 6
page 3, line 20
page 4, line 115
page 5, line 19
page 8, line 12
page 9, line 7
page 9, line 16
page 19, line 5
page 19, line 13
page 19, line 22
page 20, line 11

In short, guided practice is used in the Title and throughout the Specification at least 13 times. The clear meaning is to assign tasks for an individual to do. A specific example of a guided practice may be found on page 19, lines 12-17 where golf is being taught through "sequential ordered steps with guided practice during the day to produce mastery of the basic

golf swing, use of different clubs, timing, strategy, course management, etiquette...By utilizing small pieces of content knowledge and guided practice, the learner reduces the introduction of bad habits through misinterpretation of information and poor practice habits.”

As another example of a guided practice including tasks to be performed, consider the following language on page 20, lines 4-8. “The subject system may also be utilized for professional women’s support to develop women’s confidence in responding to situations, which they encounter during the day and about which they are not familiar. For instance, women who are not familiar with tipping or rules of business etiquette, such as shaking hands or standing can learn the concepts and practice them during the day with prompts from the subject system. Such a regime could consist of activities and practice.”

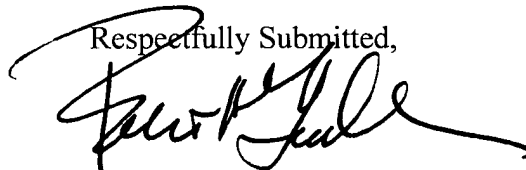
Note further, that tasks are set by the guided practice which is defined as learning activities (Spec. page 9, lines 6-17). “...a system is provided to deliver individual development to any location by automatically transmitting learning lessons, guided practice or information to the individual a number of times during the day, with each learning activity or practice being limited in duration and packaged as a mini content object. In one embodiment, the Internet is utilized along with push technologies, which, upon competency assessment and development of an individualized curriculum, provides course work in terms of the transmission of learning activities or tasks over the Internet to a computer, wireless phone, pager, personal digital assistant or voice-based web over POTS, in which the course work is delivered to the remote computer throughout the day with guided practice sent periodically and generally limited to 10-30 seconds of guided practice messages. The result is personalized training targeted precisely to alter the behavior, with guided practice messages sent every few hours.

Note that Fargano is directed to correcting knowledge gaps. Hall is directed to guiding correct practice. It is guiding correct practice that has been identified to be at the core of improved physical performance. In other words, success is dependent more on what you can *do* than what you *know*.

In summary, nowhere in Fargano is shown or taught guided practice. Thus the claimed invention is neither shown nor taught by Fargano. Fargano is knowledge-based (answer a question and get a grade) versus Hall et al., which is based on behavior modification through guided practice (practice something).

In view of the above Amendment, allowance of the claims and issuance of the case is earnestly solicited.

Respectfully Submitted,



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